

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

ELLEN M. McCRACKEN,

3:10-CV-937-ST

Plaintiff,

ORDER

v.

PORTLAND GENERAL ELECTRIC,  
et al.,

Defendants.

BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#100) on July 19, 2011, in which she recommends this Court grant State Defendants' Motion (#47) to Dismiss, grant the Motion (#54) to Dismiss of Portland General Electric (PGE),

and dismiss Plaintiff's Amended Complaint with prejudice. The matter is now before this Court pursuant to 28 U.S.C.

§ 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003)(*en banc*). See also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9<sup>th</sup> Cir. 1988). Having reviewed the legal principles *de novo*, the Court does not find any error.

#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#100). Accordingly, the Court **GRANTS** State Defendants' Motion (#47) to Dismiss, **GRANTS** PGE's Motion (#54) to Dismiss, and **DISMISSES** Plaintiff's Amended Complaint **with prejudice**.

IT IS SO ORDERED.

DATED this 9<sup>th</sup> day of September, 2011.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge